

10, 567, 424

IAP08Rec'd PCT 09 DEC 2008

Practitioner's Docket No. 1386/23

Serial No. 10/567,424

CHAPTER II

IN THE UNITED STATES ELECTED OFFICE (EO/US)

PCT/AU04/01051

06 August 2004 (06.08.04)

07 August 2003 (07.08.03)

International Application No.

International Filing Date

Priority Date Claimed

MUTATIONS IN ION CHANNELS

Title of Invention

Mulley et al.

Applicant(s)

Mail Stop PCT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

ATTENTION: EO/US

**COMPLETION OF FILING REQUIREMENTS
FOR INTERNATIONAL APPLICATION ENTERING U.S. NATIONAL STAGE
IN U.S. ELECTED OFFICE (EO/US) UNDER 35 U.S.C. § 371**

This replies to the Notice of Missing Requirements under 35 U.S.C. § 371 and 37 C.F.R. § 1.495 (FORM PCT/DO/EO/905).

A copy of FORM PCT/DO/EO/905 accompanies this response.

EXPRESS MAILING UNDER 37 C.F.R. § 1.10*


(Express Mail label number is mandatory.)

(Express Mail certification is optional)

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date December 9, 2008 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 as "Express Mail Post Office to Addressee" Mailing Label No. EM215617316US.

Jennifer L. Underhill

Date: December 9, 2008


Signature of person certifying

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

DECLARATION OR OATH

- I. The declaration or oath that was filed was determined to be defective. A new original oath or declaration is attached.

EXTENSION OF TIME

- II. The proceedings herein are for a patent application. Accordingly, the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

FEES

III. Surcharge fees

- | | |
|---|------------|
| 1. Surcharge for filing the oath or declaration later than thirty months from the priority date pursuant to § 1.495(c): | \$130.00 |
| 2. Fees for Pages in Excess of 100 | \$1,300.00 |

Total Fees	\$1,430.00
------------	------------

TOTAL FEE DUE

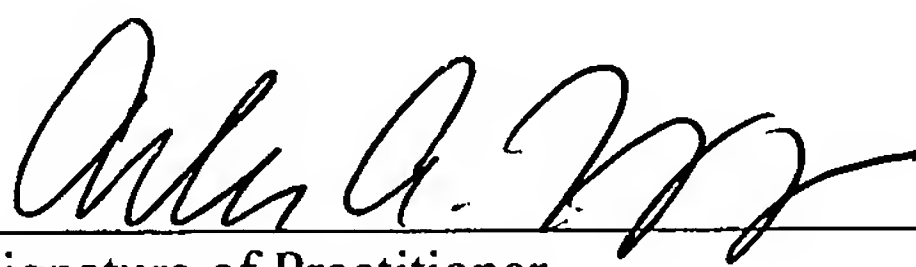
- | | |
|--|------------|
| IV. The total fee due is:
Completion fee(s) | \$1,430.00 |
|--|------------|

PAYMENT OF FEES

- VI. A check in the amount of \$1,430.00 is enclosed herewith and the Commissioner is hereby authorized to charge any additional fees required by this paper or credit any overpayment to Deposit Account Number 50-0426.

Date: 12/9/2008

Reg. No.: 39,395
Tel. No.: 001-919-493-8000
Customer No.: 25297



Signature of Practitioner
Arles A. Taylor, Jr.
Jenkins, Wilson, Taylor & Hunt, P.A.
Suite 1200 University Tower
3100 Tower Boulevard
Durham, NC 27707
UNITED STATES OF AMERICA

12/10/2008 MKAYPAGH 00000050 10567424

01 FC:1617

130.00 OP

12/11/2008 MKAYPAGH 00000007 500426 10567424

01 FC:1681

50.00 DA

1300.00 OP



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/567,424	Bionomics Limited	138623

25297

JENKINS, WILSON, TAYLOR & HUNT, P. A.
Suite 1200 UNIVERSITY TOWER
3100 TOWER BLVD.,
DURHAM, NC 27707

INTERNATIONAL APPLICATION NO.

PCT/AU04/01051

I.A. FILING DATE	PRIORITY DATE
08/06/2004	08/07/2003

CONFIRMATION NO. 4429
371 FORMALITIES LETTER



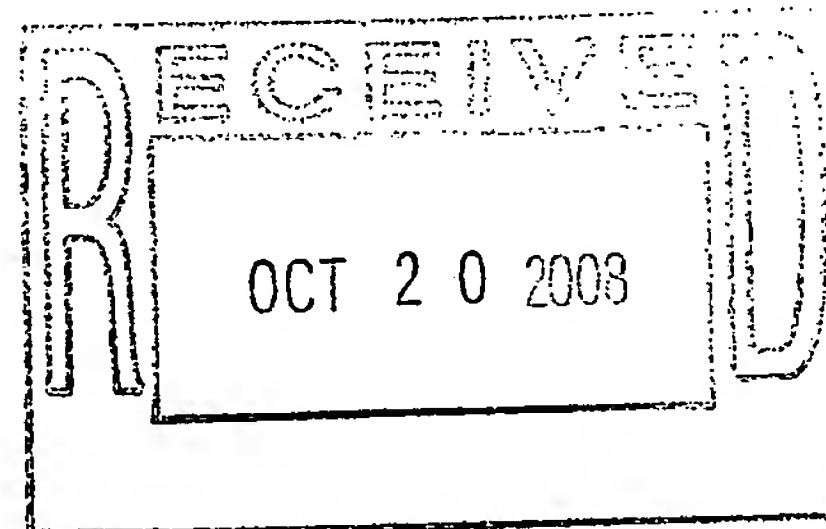
OC000000031160798

Date Mailed: 10/17/2008

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- Priority Document
- Copy of the International Application filed on 02/06/2006
- Copy of the International Search Report filed on 02/06/2006
- Preliminary Amendments filed on 02/06/2006
- Information Disclosure Statements filed on 04/27/2006
- Biochemical Sequence Diskette filed on 02/06/2006
- Oath or Declaration filed on 02/06/2006
- Biochemical Sequence Listing filed on 02/06/2006
- U.S. Basic National Fees filed on 02/06/2006
- Priority Documents filed on 02/06/2006
- Specification filed on 02/06/2006
- Claims filed on 02/06/2006
- Abstracts filed on 02/06/2006
- Drawings filed on 02/06/2006
- Paper nucleotide sequence listings filed on 02/06/2006



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$1430 for a Large Entity:

- \$130 Surcharge.

Initial: 12/17/08
Final: 5/17/09
AAT
1386/23
CAB
10/21/08

- The specification and drawings contain more than 100 pages. Applicant owes \$1300 for 243 pages in excess of 100 pages for a non-small entity.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212